United Nations A/HRC/31/NGO/198

General Assembly

Distr.: General
25 February 2016

English only

Human Rights Council
Thirty-first session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Global Network for Rights and Development (GNRD), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 February 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.16-02976(E)

Please recycle

Refugees and Displaced peoples

Madam/ Mr President,

The unprecedented increase in the number of Refugees and Displaced peoples is an indication of our spiraling collective immorality and desensitization to the suffering of our fellow human brothers and sisters. An indication that will be stamped in the history books as one of our lowest points in history.

It is the right of every refugee, under the "1951 UN Convention Relating to the Status of Refugee" to seek asylum. It is also a right enshrined in Article 14 of the Universal Declaration of Human Rights states that "Everyone has the right to seek and to enjoy in other countries asylum from persecution." Similarly, it is the obligation of the receiving state to provide the same rights as nationals, or foreign expats to the refugees.

States have resisted the rights of refugees to lead normal lives. In some countries, refugees are not even recognized as so, sometimes brushed as 'guests' and made to live in camps without any rights to work, own property or pursue a normal life. In reality, refugees have an inalienable right to standard of living adequate for the health and well-being of the person and their family, including food, clothing, housing, medical care and necessary social services.

In other countries, the plight of refugees starts when they reach their destinations as they are treated like criminals. A lot of them are forced to live in prison-like conditions; some are numbered like cattle, and subject to the most grotesque of treatment. We would like to remind that refugees have the right to life, liberty and security just like any other human being. Refugees should be allowed to have access to justice system when their rights are violated but in as we all know this is not the case. More Economically Developed Countries, countries that pride themselves on justice and liberty have inadequate legal recourse when a refugee is mistreated or rights violated.

The scaremongering of politicians and the rise of right wing movements have made the idea of refugees a contentious issue. At the height of the Syrian crisis, thousands fled to Europe, risking their lives, to live in a world where their rights are respected. Also, right to seek refuge, right to dignity and belief in humanity was deteriorating as some countries used policies of deterrence to 'fix' the refugee crisis. These deterrence policies have built walls or fences, forced refugees to live in deplorable conditions (as they slept on the cold streets, under bus shelters and any rock that accepts a resting head) and allowed hundreds to die in the journey to safety. Help or humanity should not start at the borders of a country but should rather extend to wherever lives could be saved.

We see the ripples of this oppressive deterrence policy across the Atlantic Ocean in the US Presidential debate, where some candidates are calling for discrimination of many groups, including refugees on the basis of their religion, threatening rights of citizens and others alike, in practicing their religious beliefs without prejudice or fear. We have documented paid propaganda being used to demonize refugees as the 'others' group. Propaganda which asserts wrongfully that these refugees are job-scrounging, violent, bigoted as well as uncivilized. Other right-wing news outlets and populist media have repeatedly bombarded the public with information, designed to build resentment against the same people that are asking for their help to lead normal lives.

In fact, a very large proportion of refugees are refused entry, forcefully sent back to country of origin or sent back to the borders in line with 'deterrence policies' and discriminatory 'migrant cap' system. Sometimes these 'migrant caps' are written in law or are part of government policies forced upon immigration case workers even when they truly believe that the seeker of asylum is genuine. Article 33 of the 1951 Refugee Convention calls not to return a refugee to a country of territory where he/she would be at risk of persecution: "No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion." Recently, Frans Timmermans, who is in charge of defending the rule of law and fundamental rights in the EU, said a cap would violate the bloc's and international law. There is hard evidence and legal precedents which show that discriminatory policies towards refugees are illegal but states continue to violate.

It is time that we, as civil society and nations alike, condemned these voices of hate and agree that 'deterrence policy' towards refugees is not only discriminatory but also as dangerous as ideology of fascism or supremacism. Short political gains through the systematic stigmatization of refugees as well as blaming them for every economic and moral

problem has long term effects on the social cohesion of societies. Policies and far-right political propaganda spreads sense of fear and rejection which will discourage integration, undermine the rule of law and set us back in human morality.

We should not encourage death of displaced peoples by doing nothing to stop human traffickers use unsafe methods of transportation of refugees in their journeys across sea and land increasingly dangerous.

As we all know, the cause of the refugee crisis has become a systemic issue; a product of poor collective action against threats to global peace and security. The refugee crisis is no longer a product of civil or "local regional" war but a symptom of the indecision and irresolution of the Security Council.

There are over 60 million refugees and displaced people running away from the hell of war and the stench of death. We are adamant that the resolve of the honorable representatives of this room can put an end, once and for all:

- To the discrimination against refugees.
- To the further break-up of communities and families
- To the root causes of conflicts that have caused the number of refugees to increase

We at GNRD are infuriated by the countless cases of asylum seekers that contact us to help them seek justice as they have no access to the 'legal aid' of qualified lawyers. A lot of developed countries still put barriers to appeals in court and the right course of justice by not providing qualified lawyers to present their legal cases; an act that should be condemned unanimously.
Therefore, GNRD calls on the international community to rid themselves of subjective perspective towards the weakest people of society (refugees) and work together, in an objective manner to resolve their issues. Some refugees are still leaving the same areas of conflict for over a decade while the international community cannot bring about a rooted solution to stop the flow. We need to work together to provide humanitarian aid as well as state rebuilding where it is needed by working to defuse tensions and enable a basic economy and security.